

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

WILLIE RAY HARRIS
ADC #067957

PLAINTIFF

V. 5:05CV00051 WRW/JTR

S. OWNEY, Sergeant,
Maximum Security Unit,
Arkansas Department of Correction, et al.

DEFENDANTS

ORDER

On July 27, 2005, separate Defendants Ifediora, Green, Anderson, and Stell filed an Answer providing their full names. *See* docket entry #17. Similarly, on August 8, 2005, separate Defendants Owney and Clark filed an Answer providing their full names. *See* docket entry #30. The Clerk will be instructed to change the docket sheet accordingly.

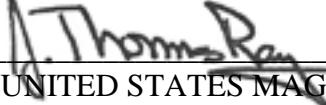
On August 3, 2005, the Court entered an Order directing counsel for the Correctional Medical Services (“CMS”) Defendants to file a Statement providing certain information necessary for the Court to effectuate service upon separate Defendants Lytle and Seals. *See* docket entry #27. On August 8, 2005, counsel timely complied with that Order by filing a Statement: (1) indicating that Defendant John Lytle was never a CMS employee; and (2) providing (in a sealed attachment) the last known private mailing address for Defendant Seals. *See* docket entry #31. Thus, the Court will order the Clerk to prepare a summons for Defendant Seals at her last known private mailing address. Additionally, the Court will give Plaintiff 120 days to provide the Court with a service address for Defendant Lytle. If Plaintiff fails to do so, the Court will have no choice but to dismiss Defendant Lytle from this action, without prejudice, due to a lack of service.

Finally, it appears that “Defendant J. Stell” and “Defendant Juanita Stell” may be the same person. Thus, the Court will give Plaintiff thirty days to file a Statement clarifying whether they are in fact the same person. If Plaintiff fails to do so, the Court will dismiss Defendant J. Stell (but not Defendant Juanita Stell) from this action, with prejudice.

IT IS THEREFORE ORDERED THAT:

1. The Clerk shall indicate on the docket sheet that: (a) “Defendant S. Owney” is “Defendant Shirley Owney”; (b) “Defendant R.L. Clark” is “Defendant Richard Clark”; (c) Defendant C. Green is “Defendant Charlotte Green”; (d) “Defendant L. Anderson” is “Defendant Lisa Anderson”; and (e) Defendant Ifediora is “Defendant Nnamdi Ifediora.”
2. The Clerk shall prepare a sealed summons for Defendant Seals at the private address provided to the Court in the sealed attachment to docket entry #31.
3. The United States Marshals are directed to serve the summons, the Complaint (docket entry #2), and this Order upon Defendant Seals without prepayment of fees and costs or security therefor. The return of service shall be filed under seal.
4. Plaintiff shall, **within 120 days of the entry of this Order**, file a Statement providing a service address for Defendant Lytle.
5. Plaintiff shall, **within 30 days of the entry of this Order**, file a Statement indicating whether “Defendant J. Stell” and “Defendant Juanita Stell” are the same person.

Dated this 16th day of August, 2005.



UNITED STATES MAGISTRATE JUDGE